

LAW OFFICES  
FRITZ R. KAHN, P.C.  
EIGHTH FLOOR  
1820 N STREET, N.W.  
WASHINGTON, D.C. 20036-1801  
(202) 263-4152  
FAX (202) 331-8330  
e-mail: kiccgcc@worldnet.att.net

February 15, 2008

VIA FAX AND PRIORITY MAIL

Hon. Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Dear Secretary Quinlan:

22106

Enclosed for filing in STB Docket No. 6 (Sub-No. 430X), BNSF Railway Company--Abandonment Exemption--In Oklahoma County, OK, are the original and ten copies of the Comments of Edwin Kessler.

An additional copy of the pleading is enclosed for you to stamp and to return to me via the enclosed stamped and self-addressed envelope.

Sincerely yours,

  
Fritz R. Kahn

enc.

cc: Scott Zimmerman, Esq. (202) 245-0450  
Melvin F. Clemens, Jr., Esq. (202) 245-0462  
Sidney Strickland (202) 295-3854  
Karl Morell (202) 783-6947  
Edwin Kessler (405) 460-3246  
Tom Elmore (405) 799-2641

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. 6 (Sub-No. 430X)**

**BNSF RAILWAY COMPANY--ABANDONMENT EXEMPTION--  
IN OKLAHOMA COUNTY, OK**

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**COMMENTS  
OF  
EDWIN KESSLER**

By Decision of the Board, Charles D. Nottingham, Chairman, served February 7, 2008, the Board directed BNSF Railway Company not to consummate the abandonment of the 2.95-mile of railroad between Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma, until the Board rules on the Petition to Reopen/to Reconsider, filed by Edwin Kessler on February 21, 2007.

Notwithstanding the Board's decision, BNSF Railway Company has engaged J.B.F. Tie and Rail Co. to begin dismantling the line. Attached are photographs taken at 3:30 p.m. yesterday, Thursday, February 14, 2008, by Mr. Tom Elmore of North American Transportation Institute, a party in this proceeding, who witnessed the cutting of the line between S. Robinson Avenue and S. Shields Boulevard.

BNSF Railway Company should be required to cease and desist from continuing its premature consummation of the abandonment.



Edwin Kessler  
1510 Rosemont Drive  
Norman, OK 73072  
Tel. (405) 360-2194

Dated: February 15, 2008





**CERTIFICATE OF SERVICE**

I certify that I this day have served copies of the Comments of Edwin Kessler upon BNSF Railway Company, Stillwater Central Railroad, Inc., North American Transportation Institute and Bio-Energy Wellness Center by facsimile transmitting copies to their attorneys, Sidney Strickland, Esq., Karl Morell, Esq. and Fritz R. Kahn, Esq.

  
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Fritz R. Kahn